

### **Remarks**

Claims 43-46, 49, 50 and 69-76 were pending in this application, of which claims 70, 71 and 74-76 were withdrawn. By this amendment, claim 46 has been amended to recite a “host protein is a protein encoded by a Rab9 target sequence that comprises SEQ ID NO: 118 or SEQ ID NO: 119 or hybridizes under high stringency conditions to a Rab9 target sequence comprising SEQ ID NO: 118 or SEQ ID NO: 119.” Support for this amendment can be found throughout the specification, including the claims as originally filed. Claims 43-45, 49, 50, 69-71 and 74-76 are canceled, without prejudice. No new matter is introduced by this amendment.

After entry of this amendment, **claims 46, 72 and 73 are pending in the application.** No new matter is added by this amendment. Applicants expressly reserve the right to pursue protection of any subject matter removed from the claims by this amendment.

Entry of the amendment after final action is appropriate because the amendment is believed to place the claims in a condition for allowance and clarify the issues for an appeal (if required). Examiner Boesen also agreed to consider the amendment made herein and search SEQ ID NO: 119, if necessary, during the telephonic interview on May 8, 2009.

#### *Interview with Examiner Boesen*

Applicants thank Examiner Boesen for discussing the pending Office action with their undersigned representative on May 8, 2009. During this interview, claim 46 was discussed. In particular, the amendment of claim 46 to include SEQ ID NO: 119 was discussed. Examiner Boesen agreed to consider and search SEQ ID NO: 119 (if, necessary) within claim 46. It is believed that this response is prepared in accordance with suggestions made by Examiner Boesen.

#### *Allowed Claims*

Applicants thank Examiner Bosen for indicating that claims 46, 72 and 73 are allowable. Although Applicants have amended claim 46 to include SEQ ID NO: 119 as well as SEQ ID NO: 118, Applicants believe that amended claim 46 is in condition for allowance as the cited art of record does not teach, suggest or disclose SEQ ID NO: 119 or SEQ ID NO: 118.

*Rejections under 35 U.S.C. § 103(a)*

Claims 43-45, 49, 50 and 69 are rejected under 35 U.S.C. § 103(a) as obvious over Wu *et al.* (U.S. Patent Application Publication 2003/0166870 A1) in view of Hanna *et al.* (*Proc. Nat. Acad. Sci.* 99: 7450-7454, 2002) as evidenced by Blot *et al.* (*J. Virology* 77: 6931-6945, 2003). In efforts to further prosecution, claims 43-45, 49, 50 and 69 have been canceled, thereby rendering these rejections moot.

In view of the amendments and arguments made herein, Applicants request reconsideration and allowance of all pending claims.

**Conclusion**

Applicants respectfully submit that the claims filed herewith are in condition for allowance. If any issues remain, Examiner Boesen is requested to contact the undersigned attorney to arrange a telephonic interview prior to the preparation of an Advisory Action.

Respectfully submitted,

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